

JOSEPH P. RUSSONIELLO (CASBN 44332)  
United States Attorney

BRIAN J. STRETCH (CASBN 163973)  
Chief, Criminal Division

DAVID R. CALLAWAY (CASBN 121782)  
Assistant United States Attorney

150 Almaden Boulevard, Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5596  
Facsimile: (408) 535-5066  
E-mail: David.Callaway@usdoj.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR 09-00615 JW
	)	
Plaintiff,	)	STIPULATION CONTINUING
	)	DATE FOR STATUS OR
v.	)	DISPOSITION, AND EXCLUDING
	)	TIME; ORDER <i>[Proposed]</i>
DIANA RIOS,	)	
	)	Date: June 21, 2010
Defendant.	)	Time: 1:30 p.m.
	)	
	)	Before The Honorable James Ware

The parties to this case hereby agree and stipulate as follows:

WHEREAS,

1. The parties are scheduled to appear before the Court at the above date and time. Although the parties believe that they may be close to resolving this case, no such disposition will have been completed by Monday, June 21st. In addition, that date (perhaps because of Father's Day falling on Sunday, June 20th) turns out to be a very expensive date for defendant and her counsel to travel from New York to California. Defendant and her counsel would like to push the date back by one week, to June 28, 2010. (They would prefer even more time, but have determined through informal discussions with the Courtroom Deputy, Ms. Garcia, that one week is all the Court is prepared to allow.) The government has no objection.

2. The parties agree that the time occasioned by this continuance is excludible pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(i) and (iv).

IT IS THEREFORE STIPULATED AS FOLLOWS:

This case should be continued for a further status and setting conference, or disposition, to occur on **Monday, June 28, 2010, at 1:30 p.m.**, before The Honorable James Ware, United States District Judge. The time between June 21 and June 28, 2010, should be excluded from the Speedy Trial clock for the reasons set forth above.

/ s /

ARNOLD KEITH, ESQ.  
Counsel for Defendant  
DATE: March 30, 2010

JOSEPH P. RUSSONIELLO  
United States Attorney

/ s /

DAVID R. CALLAWAY  
Counsel for Plaintiff  
DATE: March 30, 2010

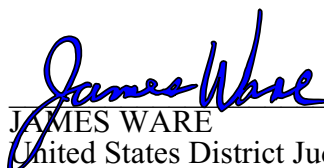
### **ORDER**

Based upon the foregoing Stipulation and good cause appearing therefor,

IT IS HEREBY ORDERED that this matter is continued for further status and setting conference, or for disposition, to occur on **Monday, June 28, 2010, at 1:30 p.m.**

IT IS FURTHER ORDERED that the time between June 21 and June 28, 2010, shall be excluded from the computation the period within which the trial must commence, for the reasons and based upon the statutory provisions set forth by the parties in the Stipulation. The Court finds that the ends of justice outweigh the interests of the public and the parties in a speedier trial based upon the grounds set forth above.

DATED: June 18, 2010

  
JAMES WARE  
United States District Judge